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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO:	CONFIRMATION NO.
08/479,995	06/07/1995	ROBERT G. PERGOLIZZI	Enz-11(C2)(D1)(C2)	8797
28171 7590 07/16/2010 ENZO BIOCHEM, INC. 527 MADISON AVENUE (9TH FLOOR) NEW YORK, NY 10022			EXAMINER BRUSCA, JOHN S	
			ART UNIT	PAPER NUMBER
			1631	
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			07/16/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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ENZO BIOCHEM, INC.
527 MADISON AVENUE (9TH FLOOR)
NEW YORK NY 10022

Applicant: Pergolizzi et al.
Appl. No.: 08/479,995
Filing Date: June 7, 1995
Title: ASSAY METHOD UTILIZING POLYNUCLEOTIDE SEQUENCES
Attorney Docket No.: Enz-11(C2)(D1)(C2)

This is a decision on the request for voluntary patent application publication under 37 CFR 1.221(a), filed on June 18, 2010, for the above-identified application.

The request under 37 CFR 1.221(a) is DISMISSED.

37 CFR 1.221(a) requires "a copy of the application in compliance with the Office electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)". If the request for voluntary publication does not comply with the electronic filing system requirements, the publication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

The applicant did not supply a copy of the application in compliance with the Office electronic filing system, as required by 37 CFR 1.221(a) because **the Applicant submitted the papers as a "Document for an existing application", which are entered into the application file, and not as a "Pre-Grant Publication" submission.** The request for voluntary publication does not comply with the electronic filing system requirements, thus publication will not take place.

Any request for voluntary publication under 37 CFR 1.221(a), must be submitted via the EFS system, as a Pre-Grant publication submission and must include a copy of the application in compliance with the Office electronic filing system requirements. The applicant is directed to the following website for additional instructions on how to submit a Pre-Grant Publication submission via the electronic filing system:

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any questions or requests for reconsideration of the decision should be addressed as follows:

By mail to: Mail Stop PGPUB
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P.O. Box 1450
Alexandria, Va. 22313-1450

By facsimile: 571-273-8300

Telephone inquiries regarding this correspondence should be directed to The Office of Data Management at 571-272-4200.

A handwritten signature in black ink, appearing to read "Tammy J. Koontz", with a stylized flourish at the end.

Tammy J. Koontz
Office of Data Management
United States Patent & Trademark Office

Adjustment date: 07/16/2010 KKING1
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